



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
**REGION 4**  
**ATLANTA FEDERAL CENTER**  
**81 FORSYTH STREET**  
**ATLANTA, GEORGIA 30303-8960**

**FEB 06 2015**

**Mr. Garney B. Scott, III**  
**President**  
**Scepter Greeneville, Inc.**  
**1485 Scepter Lane**  
**Waverly, Tennessee 37185-3290**

**Dear Mr. Scott:**

The U.S. Environmental Protection Agency hereby requires that Scepter Greeneville, Inc. (Company), provide information as part of an investigation to determine the compliance status of the Company's Midway, Tennessee facility with the requirements of the Clean Air Act, as amended (the Act or CAA).

Pursuant to Section 114(a) of the Act, 42 U.S.C. §7414(a), the Administrator of the EPA is authorized to require any person who owns or operates any emission source, or who is subject to any requirement of the Act, to establish and maintain such records, make such reports, and provide such other information as the Administrator may reasonably require, for the purpose of determining whether such person is in violation of any provision of the Act. This authority has been duly delegated to the Director, Air, Pesticides, and Toxics Management Division, Region 4.

The required submittal of information is not subject to the provisions of the Paperwork Reduction Act, 44 U.S.C. Chapter 35. The response to the information requested must be accompanied by the enclosed Statement of Certification, which is to be signed by a responsible official of the Company. A response to this information request must be sent to the EPA within thirty (30) calendar days upon receipt of this letter, unless the EPA, for good cause shown, extends in writing the deadline for responding to the request. All required information must be sent to:

**Sam Nunn Atlanta Federal Center**  
**U.S. EPA Region 4**  
**South Air Enforcement and Toxics Section**  
**61 Forsyth Street, SW**  
**Atlanta, GA 30303-8960**  
**ATTN: Chetan Gala**

Under 40 C.F.R. Part 2, Subpart B, you may assert a business confidentiality claim covering part or all of the information you submit, other than emissions data and information or data that is otherwise publicly available, as described in 40 C.F.R. §§ 2.203(b); 2.301(a) and 2.301(e). The page, paragraph, and sentence must be identified for any information subject to a claim of business confidentiality. Requirements for asserting a claim of business confidentiality are described in Section A of Enclosure A. If no business confidentiality claim accompanies the information when it is received by the EPA, the EPA may make the information available to the public without further notice. If a business confidentiality claim accompanies the information when it is received by the EPA, Section B of Enclosure A describes the confidential business information substantiation requirements you will be

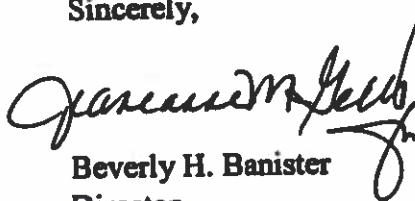
asked to comply with in the event that the EPA receives a Freedom of Information Act request or otherwise wants to determine whether such information is entitled confidential treatment.

See 40 C.F.R. § 2.204. In those instances, you will be given an opportunity to submit comments on your claim by responding to 11 questions in Section B of Enclosure A. See 40 C.F.R. § 2.204(e)(4). Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to meet the requirements so as to be entitled to confidential treatment. Failure to submit your comments by the deadline in the letter will be regarded as a waiver of your confidentiality claim, and the EPA may release the information.

~~Failure to comply with this requirement to provide information is a violation of Section 114 of the~~  
CAA and could result in an enforcement action for the recovery of civil penalties not to exceed \$37,500 per day of violation, or for injunctive relief or both. Section 113 of the CAA, 42 U.S.C. §7413, gives the EPA the authority to seek criminal penalties from any person who knowingly makes any false statement, representation, or certification in any report required under the CAA.

If you have any questions relating to this Information Request, please contact Mr. Chetan Gala at (404) 562-9746.

Sincerely,



Beverly H. Banister  
Director

Air, Pesticides and Toxics Management Division

Enclosures: A. CBI  
B. Request for Information  
C. Statement of Certification

cc: Barry R. Stephens, Director (w/enclosures)  
Tennessee Division of Air Pollution Control

## ENCLOSURE A

### Confidential Business Information (CBI) Assertion and Substantiation Requirements

#### A. Assertion Requirements

You may assert a business confidentiality claim covering part or all of the information you submit, other than emissions data and information or data that is otherwise publicly available, as described in 40 C.F.R. 2.203(b). If no business confidentiality claim accompanies the information when it is received by EPA, EPA may make the information available to the public without further notice. To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by placing on or attaching to the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "business confidential" and a date if any when the information should no longer be treated as confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. Information covered by such a claim will be disclosed by the EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2, Subpart B. The EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

#### B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. Part 2, Subpart B. You bear the burden of substantiating your confidentiality claim and must satisfactorily show that disclosure of the information would be likely to cause substantial harm to your business' competitive position; that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent, among other things. Conclusory allegations will be given little or no weight.

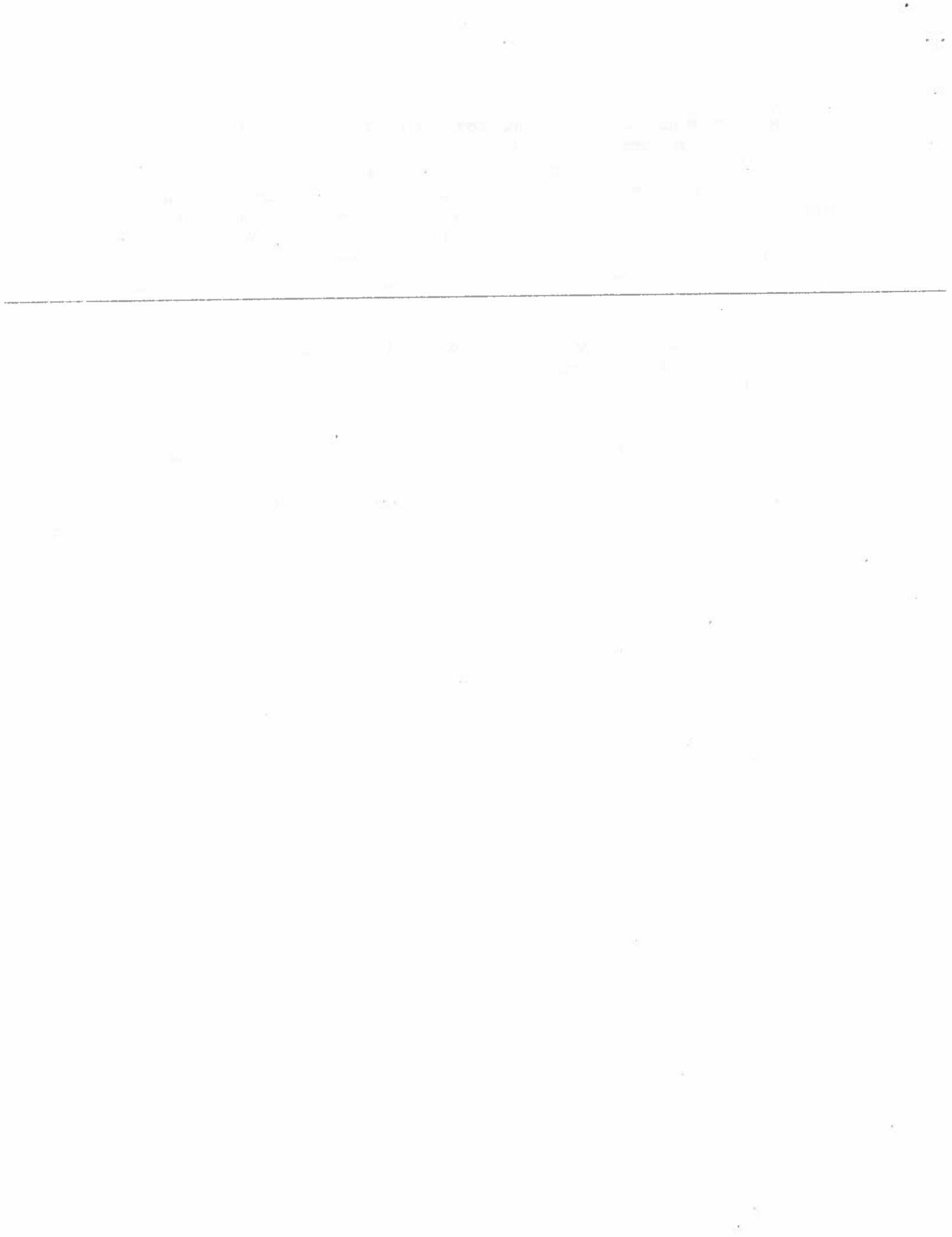
Before EPA makes a final determination regarding your claim of confidentiality, pursuant to 40 C.F.R. Part 2, Subpart B, EPA will send you a letter asking you to substantiate fully your CBI claim by answering 11 questions. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to meet the requirements so as to be entitled to confidential treatment. You must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information.

EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Please note that if a page, document, group or class of documents claimed by you to be confidential contains a significant amount of information which the EPA determines is not confidential, your confidentiality claim regarding that page, document, group or class of documents may be denied. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being confidential, EPA will ask you to answer the following questions, ~~giving as much detail as possible, as conclusory allegations will be given little or no weight in EPA's determination:~~

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to the EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? If so, specify which.
5. Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
6. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
7. For each item or category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
8. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, please explain whether the information is the kind that would customarily not be released to the public.
9. Whether you assert the information as voluntary or involuntary, please address why disclosure of the information would tend to lessen the availability to the EPA of similar information in the future.
10. If you believe any information to be (a) trade secret (s), please so state and explain the reason for your belief. Please attach copies of those pages containing such information with brackets around the text that you claim to be (a) trade secret (s).
11. Explain any other issue you deem relevant (including, if pertinent, reasons why you believe that the information you claim to be CBI is not emission data or effluent data).

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air - (A) information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing; (B) information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and (C) a general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source). 40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

Information designated confidential will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.



**ENCLOSURE B**  
**REQUEST FOR INFORMATION**

~~For purposes of this letter, the definitions set forth in Section B shall apply and should be~~  
considered carefully by you in preparing your responses to this Information Request letter.

**A. INSTRUCTIONS:**

1. Please provide a separate narrative response to each item and subpart of an item set forth in this information request and precede each answer/response with the number of the item to which it corresponds.
2. If requested information, records or documents are not known or are not available to you at the time of your response to this information request, but later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after submission of your response that any portion is or becomes false, incomplete, or misrepresents the facts; you must provide EPA with a corrected response as soon as possible.
3. If documentation requested information are in electronic form such as spread sheet, database, etc., you may provide that information electronically in the same form in/on an appropriate media that is a CD/Flash drive, etc., instead of paper.

**B. DEFINITIONS:**

1. "Document" or "Record" or "documents" or "records" means written documentation of any kind, including documentation solely in electronic form. It includes any document in the possession or control of Scepter Greeneville, Inc. (Facility), or the possession or control of any person or entity hired by the company. A copy of a document rather than the original may be provided.
2. The terms "person" or "persons" shall have the meaning set forth in Section 302(e) of the Clean Air Act (Act), 42 U.S.C. §7602(e), and includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent or employee thereof.
3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.



4. The terms "you" or "your", as used in each of the questions set forth in the attached Section 114 letter, refers to, and shall mean, the company or corporation with which each addressee of the attached Section 114 letter is affiliated, including its subsidiaries, divisions, affiliates, predecessors, successors, assigns, and its former and present officers, directors, agents, employees, representatives, attorneys, consultants, accountants and all other persons acting on its behalf.
5. ~~"Scepter Greeneville" means Scepter Greeneville, Inc., and its facility, located at 1230 Pottertown Road, Midway, Tennessee.~~
6. "Facility" means the entire manufacturing facility (including all physical structures) located at 1230 Pottertown Road, Midway, Tennessee.
7. "Operating Cycle" means for a batch process, the period beginning when the feed material is first charged to the operation and ending when all feed material charged to the operation has been processed. For a batch melting or holding furnace process, *operating cycle* means the period including the charging and melting of scrap aluminum and the fluxing, refining, alloying, and tapping of molten aluminum (the period from tap-to-tap).
8. "Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control and monitoring equipment, process equipment, or a process to operate in a normal or usual manner which causes, or has the potential to cause, the emission limitations in an applicable standard to be exceeded. Failures that are caused in part by poor maintenance or careless operation are not malfunctions.
9. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in the Act or 40 CFR Part 63, in which case the statutory or regulatory definitions shall apply.

**C. INFORMATION REQUEST:**

Unless otherwise stated, please provide the requested information from December 17 through December 20, 2014.

1. Please provide a list and brief description of all materials that have been processed at the facility in each furnace during each year from January 2013 to present. Also, provide a separate list and description of all materials processed in each furnace particularly from December 17, 2014 through December 20, 2014.
2. Please provide the following records. One or more of the same may be requested elsewhere herein, and if so, please submit relevant information separately if they differ even slightly; or submit it once and refer to the specific information request item number it addresses or responds to.
  - a. Recorded pH values of the stack exhaust gas and the inlet tap water;



- b. The ammonia injection rate;
  - c. A copy of any relative humidity data recorded for the day;
  - d. A list of each emission (process) unit in operation;
  - e. A list of each control device in operation;
  - f. A description of the operational status of the each equipment in operation (e.g., normal operation, upset conditions, startup, shutdown, malfunction, etc.);
  - g. Identify if there were any control device operating parameter deviations; and
  - h. Identify if there were any process equipment operating parameter deviations.
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3. Provide copies of process records for each Operating Cycle of Rotary Furnace No. 1 that contains the following:
- a. Type of charge;
  - b. Weight of charge;
  - c. Type of flux used (solid/liquid/gas);
  - d. Weight of flux used each time;
  - e. Time of each flux addition/injection;
  - f. The total reactive flux addition/injection rate as calculated per 40 CFR §63.1512(o); and
  - g. Copy of the heat sheets for each Operating Cycle.
4. Provide copies of process records for each Operating Cycle of Rotary Furnace No. 2 that contains the following:
- a. Type of charge;
  - b. Weight of charge;
  - c. Type of flux used (solid/liquid/gas);
  - d. Weight of flux used each time;
  - e. Time of each flux addition/injection;
  - f. The total reactive flux addition/injection rate as calculated per 40 CFR §63.1512(o); and
  - g. Copy of the heat sheets for each Operating Cycle.
5. Provide copies of process records for each Operating Cycle of the Reverberatory Furnace that contains the following:
- a. Type of charge;
  - b. Weight of charge;
  - c. Type of flux used (solid/liquid/gas);
  - d. Weight of flux used each time;
  - e. Time of each flux addition/injection;
  - f. The total reactive flux addition/injection rate as calculated per 40 CFR §63.1512(o); and
  - g. Copy of heat the sheets for each Operating Cycle.
6. Provide copies of the baghouse inlet temperature in three (3) hour blocks as required by 40 CFR §63.1512(m) for each baghouse.

7. Indicate whether or not any furnace experienced a malfunction. If so, please provide a response to the following: [NOTE: If more than one (1) furnace malfunctioned, please provide your response separately for each furnace].
- How long was the furnace in malfunction status? Also, provide the time and date the malfunction began and the time and date the malfunction ended;
  - What was determined to be the cause of malfunction;
  - What corrective actions were taken to remedy the malfunction;
  - ~~Provide a copy of the relevant logs and checklists including, but not limited to, documentation such as malfunction log, maintenance log, and inspection checklist;~~
  - Was specific Operation, Maintenance, and Monitoring (OM&M) plan requirements utilized in addressing the malfunction? Please provide a copy of the most current OM&M plan and the specific OM&M plan utilized if different from the most current OM&M plan; and describe in detail the requirements implemented or utilized to address the malfunction;
  - Was specific Startup, Shutdown, and Malfunction (SSM) plan requirements utilized in addressing the malfunction? Please provide a copy of the most current SSM plan and the specific SSM plan utilized if different from the most current SSM plan; and describe in detail the requirements implemented or utilized to address the malfunction;
  - Was the malfunction reported to the permitting authority? If so, please provide a copy of all documentation, time and date of reporting; and
  - Was there a follow-up notification to the permitting authority upon resolution of the malfunction and having brought the furnace back into normal operational status? If so, please provide a copy of any documentation.
8. Indicate whether or not if any furnace was in a startup or shutdown mode. If so, please provide a response to the following: [NOTE: If more than one (1) furnace malfunctioned, please provide your response separately for each furnace].
- Was a furnace startup following a malfunction? If not, please provide a detailed explanation and relevant supporting documentation; and
  - Was a furnace shutdown the result of a malfunction? If not, please provide a detailed explanation and relevant supporting documentation.
9. Indicate whether or not any baghouse experienced a malfunction. If so, please provide a response to the following: [NOTE: If more than one baghouse malfunctioned, please provide your response separately for each baghouse].
- How long was the baghouse in malfunction status? Also, provide the time and date the malfunction began and the time and date the malfunction ended;
  - What was determined to be the cause of the malfunction?
  - What corrective actions were taken to remedy the malfunction?

- d. Provide a copy of the relevant logs and checklists including, but not limited to, documentation such as a baghouse malfunction log, maintenance log, and inspection checklist.
  - e. Was OM&M plan requirements utilized in addressing the malfunction? Please describe in detail the OM&M plan requirements implemented or utilized to address the malfunction;
  - f. Was specific SSM plan requirements utilized in addressing the malfunction? Please describe in detail the SSM requirements implemented or utilized to address the malfunction;
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- g. Was the malfunction reported to the permitting authority? If so, please provide a copy of all documentation; and
  - h. Was there a follow-up notification to the permitting authority upon resolution of the malfunction and having brought the baghouse back into normal operational status? If so, please provide a copy of all documentation.
10. Indicate whether or not the ammonia feed/injection system experienced a malfunction. If so, please provide a response to the following: [NOTE: Indicate which baghouse was affected by the ammonia feed/injection system malfunction].
- a. How long was the ammonia injection system in malfunction status? Also, provide the time and date the malfunction began and the time and date the malfunction ended;
  - b. What was determined to be the cause of malfunction;
  - c. What corrective actions were taken to remedy the malfunction;
  - d. Provide a copy of the relevant logs and checklists including, but not limited to, documentation such as a malfunction log, maintenance log, and inspection checklist;
  - e. Was specific OM&M plan requirements utilized in addressing the malfunction? Please describe in detail the OM&M plan requirements implemented or utilized to address the malfunction;
  - f. Was specific SSM plan requirements utilized in addressing the malfunction? Please describe in detail the SSM plan requirements implemented or utilized to address the malfunction;
  - g. Is there a separate plan or protocol addressing the operation, maintenance and malfunction response? If so, please provide a copy and describe in detail the requirements of the said separate plan or protocol implemented or utilized.
  - h. Was the malfunction reported to the permitting authority? If so, please provide a copy of all documentation; and
  - i. Was there a follow-up notification to the permitting authority upon resolution of the malfunction and having brought the ammonia feed/injection system back into normal operational status? If so, please provide a copy of all documentation.
11. Please provide a copy of any visible emissions (VE) observations/readings taken by company staff or any other designee from July 16, 2014, to present. Please provide relevant documentation including, but not limited to, the following: [NOTE: Please provide your response separately for each stack/capture/control system/baghouse].

- a. A copy of the training and VE certification of the observer/reader;
  - b. A copy of VE observations/readings;
  - c. A copy of any relative humidity data, wind speed, wind direction, and temperature during the VE observation period;
  - d. A description of the plumes background; and
  - e. A description of the plume including the color, and whether the plume is attached or detached for each set of observations/readings.
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12. Please provide a copy of any VE observations/readings illustrating the compliance status with the permit conditions 67 and 77 of the source operating permit # 463610 amended July 16, 2014. Also, please include the following:

- a. A copy of the training and VE certification of the observer/reader;
- b. A copy of VE observations/readings;
- c. A copy of any relative humidity data, wind speed, wind direction, and temperature during the VE observation period;
- d. A description of the plumes background; and
- e. A description of the plume including the color, and whether the plume is attached or detached for each set of observations/readings.

13. Provide a copy of any video or photographs taken of all the baghouse stacks with or without a visible emissions.

**ENCLOSURE C**

**SCEPTER GREENEVILLE, INC., INFORMATION REQUEST**

**This is to be signed and dated by a duly authorized official of Scepter Greeneville, Inc.**

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**STATEMENT OF CERTIFICATION**

**I hereby certify that the foregoing responses and information provided to EPA in response to its Clean Air Act, Section 114, Information Request were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information or that I consulted with individuals having personal knowledge (note, please identify such individuals). I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.**

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**Signature and Date**

